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September 16, 1998

Mr. Gordie Blum (P-19)
Community Involvement Coordinator
U.S. Environmental Protection Agency
Region V
77 West Jackson Blvd.
Chicago, IL 60604-3590

EPA Region 5 Records Ctr.



207122

Re: Lenz Oil - Comments to Proposed Plan

Dear Mr. Blum:

The companies listed in Attachment A submit the following comments on USEPA's Proposed Plan for the Lenz Oil Site.

1. Alternative 2 is the appropriate remedy for the site.

Considering the remedial alternatives discussed in the Proposed Plan in light of USEPA's selection criteria, Alternative 2 clearly stands out as the most appropriate remedy for this site. This Alternative, which calls for collection trenches to collect and remove LNAPL and to provide a barrier to contain LNAPL migration, provides an appropriate containment strategy for the LNAPL at the Lenz Oil site.¹ When combined with the removal actions already conducted by the Illinois Environmental Protection Agency ("IEPA"), Alternative 2 achieves USEPA's desired objective of removing well over 90% of the contamination associated with the site, at less than half the cost of USEPA's preferred Alternative 9A.

¹ The Proposed Plan incorrectly states that Alternative 2 would include collection of groundwater in the collection trenches. In addition, USEPA's description of Alternative 2 does not reflect the fact that one of the four trenches will be located downgradient of the LNAPL layer, to act as a barrier to any further LNAPL migration.

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With regard to overall protection of human health and the environment, Alternative 2 achieves the same level of risk reduction as Alternative 9A. The baseline risk assessment and updated risk evaluation show there is no unacceptable risk for any potential exposure pathway other than a future resident drinking water from a well installed through the LNAPL. This scenario is extremely unlikely in light of current and likely future uses of the property, and can be virtually eliminated as a possibility through institutional controls. Moreover, to reduce the risk created under this scenario to a level USEPA would find acceptable by means other than institutional controls, at least 99% of the LNAPL would have to be removed. As a practical matter, this level of LNAPL removal cannot be achieved at the Lenz oil site. Thus, in recommending Alternative 9A over Alternative 2, USEPA proposes to more than double the cost that must be incurred at the site without any significant reduction in risk.

Implementing Alternative 2 would have the additional benefit of avoiding the highly disruptive and potentially dangerous consequences associated with trying to implement Alternative 9A, such as having to blast through bedrock with explosives and shutting down access to Jeans Road for lengthy periods of time. The level of short-term risks associated with implementation of a remedial alternative is a key element that must be considered under the NCP in selecting the remedy. In addition, selecting Alternative 2 would avoid having to relocate Mrs. Williams, who has already expressed her strong desire not to be relocated.

In justifying Alternative 9A, USEPA asserts that its Proposed Plan is designed to address "the principal threat at the site, which is the contaminated oil layer on the aquifer," later defined as light, nonaqueous phase liquid or LNAPL. In reality, the principal threat at the site was the oil and solvent waste that was abandoned on the site by Lenz Oil, a portion of which remains on site in the form of LNAPL. Approximately 21,000 tons of oil contaminated soil and sludge, 250,000 gallons of liquids and 200 drums already have been removed and incinerated during a removal action performed by IEPA. The cost of the IEPA removal action was approximately \$9 million. What remains to be addressed, approximately 40,000 gallons of LNAPL, can hardly be viewed as a "principal threat" in light of human exposure or environmental risk standards.

USEPA's Proposed Plan nevertheless recommends that the LNAPL and the soils and bedrock that have been in contact with the LNAPL be excavated, treated and placed back on site at a total estimated cost of \$13.8 million (see Paragraph 2.a below). This is a far more complicated and expensive approach than is warranted. Although USEPA recognizes in the Proposed Plan that implementing Alternative 9A "may be very difficult, if it is possible at all," in light of problems likely to be encountered in excavating into bedrock, USEPA rejected Alternative 2, which involves proven technology and meets the remedial criteria. Moreover, the technologies USEPA has identified as potentially viable alternatives to Alternative 9A are also uncertain in terms of implementability and effectiveness at this Site.

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USEPA's conclusions in the Proposed Plan regarding the difficulties associated with removing or treating the LNAPL are consistent with USEPA's experiences at other sites.

Although nonaqueous phase liquids (NAPLs) are generally viewed as principal threat wastes, program experience has shown that removal and/or in situ-treatment of NAPLs may not be practicable. Hence, EPA generally expects that the quantity of free-phase NAPL (i.e., "free product") should be reduced to the extent practicable and that an appropriately designed containment strategy should be developed for NAPLs that cannot be removed from the subsurface.

Rules of Thumb for Superfund Remedy Selection, USEPA, August 1997. Alternative 2 is fully consistent with this policy statement, while Alternative 9A neither reflects concern for practicability, nor is it appropriately designed to address the risks at the Site.

2. The estimated costs of Alternative 9A are unclear.

a. Groundwater costs.

USEPA's cost estimate for Alternatives 9A and 9B do not include groundwater remediation contingency costs of \$1.3 million, although this amount is included in the cost estimates for all other alternatives. USEPA explains it did not include the groundwater contingency for Alternatives 9A and 9B because of the high percentage of LNAPL it expects Alternatives 9A and 9B will remove. However, USEPA estimates LNAPL recovery rates for Alternatives 9A and 9B will be in the same range as for Alternatives 10 and 11, which include contingent groundwater costs. Therefore, the \$1.3 million contingency cost should be added to the cost estimates for Alternatives 9A and 9B to allow for proper comparisons of the cost of these alternatives versus other alternatives, for a total estimated cost of \$13.8 million and \$19.9 million respectively.

b. CAMU costs:

Under Alternative 9A, LNAPL recovered during the excavation process is considered by USEPA to be a RCRA listed waste that will be incinerated off site². According to

² Inasmuch as it has not been shown that RCRA listed wastes that may have been manifested to the site are the same wastes that are included in the LNAPL, we disagree with USEPA's

(continued...)

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USEPA, the LNAPL-contaminated soil and bedrock are media contaminated with listed waste which, under Alternative 9A, will be solidified and stabilized and placed back on the property in a designated Corrective Action Management Unit (CAMU). USEPA's determination regarding the applicability of CAMU requirements is premature. As USEPA has recognized on a number of occasions, including in a letter from Mary Tierney to Alan Bielawski dated August 30, 1996, if the LNAPL-contaminated material is "treated to cleanup objectives that result in a residual level of risk that falls below the 10^{-4} to 10^{-6} target carcinogenic risk and the 1.0 Hazard Index for noncarcinogenic risks, the waste is no longer considered to be RCRA hazardous." Accordingly, USEPA should allow for post-treatment sampling to indicate whether there is RCRA waste in the treated material that poses a risk above 10^{-4} to 10^{-6} , prior to determining whether the treated material is subject to CAMU requirements at all. If the residual RCRA waste in the treated materials does not present a risk greater than 10^{-4} to 10^{-6} and the materials are not characteristically hazardous, they should not be subject to RCRA requirements.

In addition, USEPA added \$1.5 million to the cost estimate for Alternatives 9A and 9B to cover CAMU requirements. It is not clear what assumptions USEPA used in developing this estimate. Interested parties should be provided a cost breakdown for the CAMU estimate, and an opportunity to provide comments thereon.

3. Alternatives 10 and 11 should be further evaluated before pilot tests are conducted.

Although Alternatives 10 and 11 appear to be preferable to Alternative 9A, there are substantial uncertainties as to whether either technology can be effectively implemented at this site. We understand that USEPA's preliminary conclusions regarding whether Alternative 11 can be implemented at the Site, and the estimated costs of Alternative 11, are based entirely on information provided by the vendor of the technology in question. Therefore, before parties are required to fund expensive pilot tests, USEPA should conduct more extensive research regarding the technologies to assure that the vendor's conclusions are fully supported and not overly optimistic.

4. The basis for estimated removal efficiencies for the various alternatives is unclear.

USEPA assigns LNAPL removal efficiencies to the various alternatives without providing a basis for how those estimates were derived. It is unclear whether or how USEPA

² (continued)

determination that the LNAPL or LNAPL-contaminated media are automatically RCRA listed wastes.

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intends to use these estimates in connection with implementation of the remedy. In light of the potential significance attached to removal efficiency estimates, USEPA should provide parties an opportunity to review and comment on the basis for the values selected, and how USEPA intends to use the values during the design and cleanup phases of the project

5. USEPA's reliance on percent removal of LNAPL as a selection criteria is inappropriate.

In evaluating and comparing the various remedial alternatives, USEPA relies on the estimated percentage of removal of LNAPL rather than the degree to which risk is reduced by each alternatives. This is contrary to USEPA's policies, which require that risk be the central focus in the selection process, rather than speculative removal efficiency estimates. Applying a risk-based analysis, Alternative 2 is clearly the preferable remedy

6. Groundwater: natural attenuation should be selected as the groundwater remedy.

The data gathered during the RI, which show that there is not a plume of groundwater contamination down-gradient from the area where the LNAPL is located, strongly support the conclusion that natural attenuation at the Lenz Oil Site will be effective. The Proposed Plan requires an Explanation of Significant Difference (ESD) to select a final groundwater remedy. We recommend that the ROD identify natural attenuation as the groundwater remedy, with active groundwater remediation as the contingency. This approach would avoid the need for an ESD if natural attenuation proves successful. An ESD would impose unnecessary and significant administrative burden on USEPA and significant additional costs on parties performing the remedy.

Also, USEPA should be flexible regarding the type of active groundwater remediation which can be used if needed at a future date. The ROD may identify pump and treat as a contingent groundwater remedy, but it should also include a provision for parties to select an alternate technology subject to USEPA approval.

7. 100- year flood plain designation is inaccurate.

It appears that the current 100-year flood plain designation is inaccurate. Updated mapping should be provided to the Federal Emergency Management Agency (FEMA). It is likely that FEMA would redesignate the 100-year flood plain so that much, if not all, of the LNAPL area would fall outside of the 100-year flood plain.

* * * * *

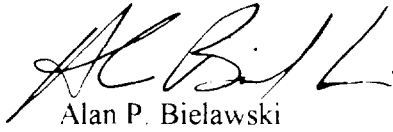
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We appreciate the opportunity to submit comments on these important matters.

Very truly yours,



Alan P. Bielawski

cc: Stuart Hersch
Mary Tierney
Susan Horn
Gerald Willman

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ATTACHMENT A

The following parties are Participants in the attached comments to the Proposed Plan at the Lenz Oil Superfund Site:

American National Can
Cardox
Coca Cola Bottling Co.
Chicago Roto Print Co./Krueger Ringier/Ringier America/W.F. Hall Printing
Commonwealth Edison Company
Container Corp. of America
Exolon Esk Co.
Freund Equipment
Henry Valve Company
Lewis University
McGill Manufacturing
Northern Indiana Public Service Company
Owens Illinois
Penske Trucking
Sears, Roebuck & Company